JUN 1 8 1999

018733/0808

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER THE BOARD OF APPEALS AND INTERFERENCES

In re the Patent Application of

David M. GOLDENBERG

Serial No. 08/949,758

Filed: October 14, 1997

Group Art Unit:

Examiner: P. Mertz

For: NON-ANTIGENIC TOXIN-CONJUGATE AND FUSION PROTE

INTERNALIZING RECEPTOR SYSTEM

Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the final rejection dated February 18, 1999, and the Advisory Action dated May 28, 1999, of the Primary Examiner finally rejecting Claims 1, 6-8, 9-15, 20-21.

The item(s) checked below are appropriate:

- A Petition for Extension of Time to respond to the 1. Х final rejection for one month is submitted herewith.
- 2. Notice of Appeal Fee \$150.00 X
 - X Enclosed

Not required (Fee paid in prior appeal)

Charge to Deposit Account No. 19-0741 (One additional copy of this Notice enclosed herewith)

A check in the total amount of \$205.00 is enclosed 3. <u>X</u> for the \$55.00 required one-month Extension of Time fee (if applicable) and the \$150.00 Notice of Appeal fee. The Commissioner is hereby authorized to charge any deficiency or credit any overpayment 00000095 08949758 to Deposit Account No. 19-0741.

06/21/1999 DVUONG

02 FC:215

150.00 OP 55.00 OP

Date: <u>June 18, 1999</u>

Bernhard D. Saxe Reg. No. 28,665

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